

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

| | | |
|---------------------------|---|-----------|
| UNITED STATES OF AMERICA, |) | |
| |) | 8:11CR106 |
| Plaintiff, |) | |
| |) | |
| v. |) | |
| |) | ORDER |
| JOHN MASS, |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

Before the court is the Findings and Recommendation and Order of United States Magistrate Judge Thomas D. Thalken, Filing No. [81](#). No objection has been filed to the Findings and Recommendation. Pursuant to [NECrimR 59.2](#) and [28 U.S.C. § 636\(b\)\(1\)](#), the court has conducted a de novo review of the record and adopts the Findings and Recommendation in its entirety.

THEREFORE, IT IS HEREBY ORDERED that:

1. The Findings and Recommendation, Filing No. [81](#), is adopted in its entirety;
2. The defendant's motion to dismiss (Filing No. [42](#)) is denied, and motion to suppress, Filing No. [46](#), is granted in respect to the firearm found during the search of the residence and denied in all other respects.

DATED this 9th day of December, 2011.

BY THE COURT:

s/ Joseph F. Bataillon
Chief United States District Judge

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